



FFW

PATENT
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Volkin et al.

Serial No.: 10/697,233 Case No.: 19698YCC

Art Unit: 1614

Confirmation No. 9156

Filed: October 30, 2003

For: DNA VACCINE FORMULATIONS

Examiner:

Vogel, Nancy S.

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING UNDER 37 C.F.R. 1.8(a)

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING
DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS
FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO:
COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450,

ON THE DATE APPEARING BELOW.

MERCK & CO., INC.

**Response to Notice of Non-Compliant
Amendment, 37 C.F.R. 1.121**

BY: *J. Marshall*

DATE: *9 November 2005*

Sir:

In response to the Notice of Non-Compliant Amendment under 37 U.S.C. §1.121 ("Notice"), mailed 11 October 2005, please enter a corrected section of the Listing of the Claims. Corrections within the Listing of the Claims have been made as directed by Examiner Vogel within the Notice. No additional fee beyond fees incurred for entry of the initial 23 May 2005 Amendment and Information Disclosure Statement has been calculated to be due for entry of this Response and corrected Listing of the Claims. However, if any fee is due, please charge the fee, as a large entity, to Deposit Account No. 13-2755. No extension of time has been calculated to be due for entry of this Response and corrected Listing of the Claims. However, if any extension is in fact due, please treat this paper as a request under 37 C.F.R. §1.136(a) to extend the time as required, and charge Deposit Account No. 13-2755 the appropriate fee as a large entity. Please credit any overpayment or charge any fee deficiency to Deposit Account No. 13-2755.

Corrected Amendments/Listing of the Claims begin on page 3 of this paper.

Remarks begin on page 5 of this paper.